

### **REMARKS/ARGUMENTS**

After entry of the foregoing amendments, claims 1-30 will be pending. No new matter has been added.

#### **Surrender of Original Patent**

Applicants respectfully note that, under amendments to section 1.178 of the Code of Federal Regulations effective September 21, 2004, the requirement for physical surrender of the original letters patent in a reissue application has been eliminated, and that surrender of the original patent becomes automatic upon the grant of the reissue patent. 69 Fed. Reg. 56,544 (Sept. 21, 2004) (to be codified at 37 C.F.R. § 1.178). Amended § 1.178 applies retroactively to all pending reissue applications.

#### **Objection to Amended Claims**

Claims 1-12 and 14-27 are objected to, apparently with respect to the format in which claim amendments are identified. Applicants have addressed this objection by amending the claims in an appropriate format. Applicants note, however, that in compiling this claim set they identified a number of claims in which amendments were made but not identified as such and/or claim language should have been amended. The foregoing set of claims identifies all amendments that Applicants intend to make to the claims that issued in U.S. 6,028,183, and includes a number of amendments that had not previously been identified.

Claim 11 is objected to for containing symbolic errors. In the definition of R<sup>50</sup>, "{" was inadvertently introduced instead of a parenthetical mark, parenthetical marks were inadvertently omitted for the CH<sub>2</sub>-O-(CH<sub>2</sub>)<sub>2</sub> substituent compared to the original patent, and in the definition of R<sup>60</sup>, "<" was inadvertently introduced instead of a parenthetical mark. Applicants have replaced the "{" and "<" with proper parentheticals in R<sup>50</sup> and R<sup>60</sup>, respectively. Applicants have also replaced the omitted parenthetical marks for the (CH<sub>2</sub>)-O-(CH<sub>2</sub>)<sub>2</sub> substituent to reflect the original patent. No amendment was intended by these inadvertent clerical errors.

#### **Rejection under 35 U.S.C. §112, Second Paragraph**

Claim 13 stands rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. The Office Action alleges that although there is a definition of R<sup>40</sup>, R<sup>40</sup> does not appear in any of the structures or substituents of the claim or parent claim. Although Applicants do not necessarily agree, they have amended claim 13 to remove the definition of R<sup>40</sup>. Examiner's allegation that the term "is" appears to be missing between "R<sup>40</sup>" and "independently" is rendered moot by the foregoing amendment.

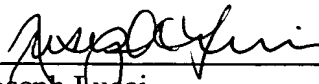
#### **Conclusion**

The foregoing constitutes a *bona fide* attempt to advance prosecution. Applicants submit that the claims are in condition for allowance and earnestly request a Notice of Allowance. Should there be any questions, the undersigned invites the Examiner to contact his at the number below.

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**PATENT**

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